The fact of the agency or the nature and extent of the authority cannot be established by the agent's own declarations. *Whiting v. Lake*, 91 Pa. 349; nor by his correspondence. *Hill v. Helton*, 80 Ala. 528; and this rule is just as inflexible in not allowing it proved by his affidavit, *Bowen v. Powell*, 1 Lans. 1. This is far from saying that an agent is an incompetent witness to prove the fact of the agency or authority. Where parol evidence, as to the existence of the agency or extent of the authority, is admissible at all, the agent is as competent a witness as any other person to testify under oath to facts within his knowledge touching the agency, *Rice v. Gore*, 22 Pick. 158; *Indianapolis Chair Mfg. Co. v. Swift*, 132 Ind. 197. Even the old rule of evidence, which excluded the testimony of a party in interest, made an exception in favor of the evidence of an agent produced to prove the fact of the agency, 1 *Greenleaf Evid.* 416; *Thayer v. Meeker*, 86 Ill. 470. And this applies equally when a husband is the agent of his wife or a wife of her husband, *Roberts v. N. W. Nat. Ins. Co*, 90 Wis. 210. But if the authority be conferred in writing, parol evidence of any kind is generally inadmissible. *Neal v. Patten*, 40 Ga. 363; unless it be where the question of authority is only incidentally involved, *Columbia Bridge Co. v. Geisse*, 38 N. J. Law 39.

RAILROADS—REGULATIONS—STOPPING FAST MAIL—INTERSTATE COMMERCE RAILROAD COMMISSIONERS v. ATLANTIC LINE RY. CO., 54 S. E. 224 (S. C.).—Where accommodations furnished citizens of the state by an interstate railroad are inadequate, *held*, a writ of mandamus compelling the company to stop two fast mails or else furnish other equal facilities, is not an unreasonable burden on interstate commerce.

Congress alone has the power to regulate interstate commerce, Const., Art. I, Section 8, and when state legislation is in its essence and of necessity a regulation of interstate commerce, it is an encroachment upon the power of Congress over the subject, and is therefore void. *Cooley's Principles of Const. Law*, page 71. However, this must be distinguished from mere local aids for its improvement. *County Mobile v. Kimball*, 102 U. S. 691, 702. For, while a statute interfering with the mails of the U. S. has been considered not within reasonable police regulation and void; *Ill. Cen. R. R. v. Ill.*, 163 U. S. 142; yet a statute directing that passenger cars should be heated by stoves has been held to be a proper police regulation. *N. Y., N. H. and H. R. R. v. N. Y.*, 165 U. S. 628. And, although state regulations, if local in their nature and adapted to the locality, will not be considered void, *Cooley on Const. Law*, page 71, yet a state may not, under the cover of exerting its police powers, substantially prohibit or burden interstate or foreign commerce. *Ry. Co. v. Husen*, 95 U. S. 465. So while the cases seem to hold that local regulations are reasonable as long as they do not directly interfere with interstate commerce; whether the stopping of mail trains is such a regulation seems to be a matter of doubt.

REAL PROPERTY—TITLES BY POSSESSION—RIGHTS OF SQUATTERS.—LINK v. BLAND, 95 SOUTHWESTERN 1110 (TEX.).—*Held*, that a squatter may secure title to land after ten years' possession in spite of the fact that he took possession of the land without any claim of right and with the intention of holding the land if possible against all other claims. In this case the land belonged to a railroad company, and the claimant is given title to a quarter section which he cultivated and used as his homestead. The decision conforms to